IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Revision No. 2545 of 2006.
Date of Decision: February 21, 2007.

Sham Lal Verma

....**Petitioner**

through
Mr.D.B.Singh, Advocate

Versus

Surjit Singh Dhillon & Ors.

...**Respondents**
through
Mr.R.S.Randhawa, Advocate.

CORAM:

HON'BLE MR. JUSTICE SURYA KANT.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

SURYA KANT,J.(ORAL)

This Criminal Revision is preferred by the petitioner against the judgment and order dated 3.8.2004 passed by the learned Judicial Magistrate Ist Class, Ludhiana whereby he was convicted under Section 138 of the Negotiable Instruments Act and has been sentenced to undergo RI for a period of one year along with fine to the tune of Rs.700/- and in the event of non-payment of fine, to further undergo RI for 15 days, as well as against the judgment dated 17.11.2006 passed by the learned Additional Sessions Judge (Fast Track Court), Ludhiana, whereby the petitioner's appeal against the afore-stated judgment and order of his conviction and sentence, has been dismissed.

Along with the revision petition, the petitioner has placed on record the original compromise deed dated 4.12.2006 (Annexure P-1)

arrived at between the parties which is duly signed by respondent No.1- the complainant and the wife of the petitioner (Smt. Kamna Rani). In terms of the compromise, arrived at between the parties, respondent No.1-complainant agreed to receive a sum of Rs.1,30,000/- towards full and final settlement, out of which a sum of Rs.99,800/- was paid by the wife of the petitioner to respondent No.1-complainant at the time of execution of the compromise deed. She also agreed to pay the balance amount through six post-dated cheques issued in favour of respondent No.1-complainant.

Notice of motion was issued and in response thereto, respondent No.1-complainant has put in appearance and has endorsed the factum of compromise as also the receipt of the above noted payments. Respondent No.1 has no objection and has rather jointly requested with the petitioner for compounding of the offence.

Having regard to the subsequent events and also following the view taken by the Apex Court in **Sailesh Shyam Parsekar v Baban alias Vishwanath S.Godge and Anr.**, (2005) 4 SCC, 162, the parties are permitted to compound the offence.

Consequently, this revision petition is accepted; the impugned orders dated 3.8.2004 passed by the learned Judicial Magistrate Ist Class, Ludhiana and dated 17.11.2006 passed by the learned Additional Sessions Judge (Fast Track Court), Ludhiana, are set aside and as a sequel thereto, the petitioner is acquitted of the charge. Bail bonds furnished by him at the time of his release on bail are accordingly discharged.

Disposed of.

February 21, 2007. **(SURYA KANT)**
dinesh **JUDGE**